

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANNY ATTERBURY,

Petitioner, 2:03-cv-1809-GEB-DAD-P

VS.

DAVE GRAZINI,

**Respondent. ORDER**

Petitioner, who is confined at Napa State Hospital, is proceeding pro se with a third amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner raises a number of challenges relating to a 1989 judgment of conviction entered against him in El Dorado County Superior Court on charges of attempted murder, with enhancements for the infliction of great bodily injury. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On November 13, 2007, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days. Petitioner has filed objections to the findings and recommendations.

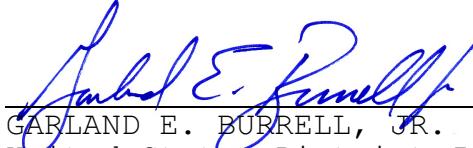
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1           In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-  
2 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire  
3 file, the court finds the findings and recommendations to be supported by the record and by  
4 proper analysis.

5           Accordingly, IT IS HEREBY ORDERED that:

6           1. The findings and recommendations filed November 13, 2007, are adopted in  
7 full; and  
8           2. Petitioner's application for a writ of habeas corpus is denied.

9           Dated: December 27, 2007

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12           GARLAND E. BURRELL, JR.  
13           United States District Judge